



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೩ Part - III	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೩೦, ಮಾರ್ಚ್, ೨೦೨೧ (ಚೈತ್ರ, ೦೯, ಶಕವರ್ಷ, ೧೯೪೩) BENGALURU, TUESDAY, 30, MARCH, 2021 (Chaithra, 09, SHAKAVARSHA, 1943)	ನಂ. ೩೪೫ No. 345
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PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT

NOTIFICATION

No.DPAR 06 CHUTHAA 2021, Bengaluru, Dated: 25th March, 2021.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi.

Dated: 3rd March, 2021

12 Phalguna, 1942 (Saka)

NOTIFICATION

No. 82/KT-LA/12/2018:- In pursuance of section 106(b) of the Representation of the People Act, 1951(43 of 1951), the Election Commission of India hereby publishes the judgement/orders of the High Court of Karnataka, Bengaluru dated 02.02.2021 in the Election Petition No.12/2018.

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IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2021

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

ELECTION PETITION NO.12 OF 2018

BETWEEN:

RATHNAMMA,
W/O ANJINAPPA,
AGED ABOUT 45 YEARS,
R/T 565, ASHRAYA NAGAR,
BEHIND SRS, PEENYA 1ST STAGE,
BANGALORE-560 058.

...PETITIONER

(BY SRI. YOGESH V KOTEMATH, FOR
SRI. VIRUPAKSHAIAH P H, ADVOCATE)

AND:

MUNIRATHNA,
S/O LATE SUBRAMANYA NAIDU,
R/AT NO.147, 11TH CROSS ROAD,
MALLESWARAM,
BANGALORE-560 003

... RESPONDENT

(BY SRI.SRIHARI A V AND
SMT. SANJANA REDDY, ADVOCATES FOR R4;
V.C.O DATED 23.10.2018, R1 & R2 ARE DELETED;
V.C.O DATED 21.08.2018, R5-R17 ARE DELETED;
V.C.O DATED 07.01.2019, R3 IS DELETED)

THIS ELECTION PETITION IS FILED UNDER SECTION 80-A,81,100(1)(b)(c)(d)(iii) READ WITH SECTION 123(1)(A) OF THE REPRESENTATION OF PEOPLE ACT, 1951, PRAYING TO DECLARE THAT THE ELECTION HELD IN RESPECT OF 154 RAJARAJESHWARINAGAR ASSEMBLY CONSTITUENCY, BENGALURU ON 31.05.2018 IS ILLEGAL AND VOID AND ETC.,

THIS PETITION COMING ON FOR ORDERS THIS DAY THROUGH VIDEO CONFERENCE, THE COURT MADE THE FOLLOWING:-



ORDER

The prayer in this Petition reads as under:

"(a) Declare that the election held in respect of 154, Rajarajeshwarinagar Assembly Constituency, Bangalore on 31.05.2018 is illegal and void;

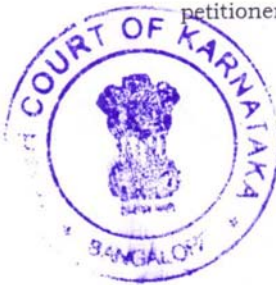
(b) Declare that the results of the election declaring the Respondent No.4 as being elected is void in view of the illegal rejection of the nomination papers by the 3rd respondent authority and involvement of the respondent No.4 in corrupt practice;

(c) Direct the respondent No.1 to 3 to hold fresh elections in respect of 154, Rajarajeshwarinagar Assembly Constituency, Bangalore by accepting the nomination papers filed by the petitioner herein;

(d) Award costs of this Petition; and

(e) Grant such other relief or relief's as this Hon'ble Court may deem fit to grant in the facts and circumstances of the case in the interest of justice and equity."

It is submitted at the Bar that this petition has become infructuous inasmuch as, the fresh election to the Constituency in question has already been held on 03.11.2020 and the returned candidate has been declared elected again. Learned counsel appearing for the respondent is in agreement with the submission of the petitioner's counsel.



In the above circumstances, this petition is disposed
off as having become infructuous.

Costs made easy.

Sd/-
JUDGE

Bsv



TRUE COPY

M. S. L. 10/02/2021
Assistant Registrar
High Court of Karnataka
Bangalore - 560 001

S. V. 10/2/21
10/2/2021

By order,
(B.C. PATRA)
Secretary
Election Commission of India

(K.M. PRANESH)
Deputy Chief Electoral Officer
D.P.A.R (Elections).